

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

---

TIMOTHY S. MAY,

Plaintiff,

-vs-

EASTMAN KODAK COMPANY,

Defendant.

---

**STIPULATION  
DISCONTINUING  
ACTION AND ORDER**

Civil Action No.  
04-CV-6366CJS(P)

**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned, the attorneys of record for plaintiff Timothy S. May and defendant Eastman Kodak Company, that

**WHEREAS** no party to this Stipulation is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled action be, and the same hereby is discontinued on the merits and with prejudice, without costs to either party as against the other. This Stipulation may be filed without further notice with the Clerk of the Court.

Dated: August 2, 2005

Dated: Sept. 23, 2005

**FIX SPINDLEMAN BROVITZ &  
GOLDMAN, P.C.**

By: \_\_\_\_\_

Laurence E. Pappas, Esq.  
*Attorneys for Plaintiff*  
295 Woodcliff Drive  
Suite 200  
Fairport, New York 14450  
Telephone: (585) 641-8000

**WOLFORD & LECLAIR LLP**

By: \_\_\_\_\_

Elizabeth A. Wolford, Esq.  
*Attorneys for Defendant*  
16 East Main Street  
Suite 600  
Rochester, New York 14614  
Telephone: (585) 325-8000

**SO ORDERED:**

Charles Snagusa  
Marian W. Payson  
United States Magistrate Judge *WSJ*

Dated: SEPT. 28, 2005